

REMARKS

Claims 3-14 are currently pending in this application. In the December 15, 2003 Office Action, the Examiner withdrew the rejection of claims 7 and 13 under 35 U.S.C. § 112. The applicant thanks the Examiner for the withdrawal of the rejection under 35 U.S.C. § 112. However, the Examiner rejected claims 5-7, 10, 12, and 13 under 35 U.S.C. § 102(b) as being anticipated by United States Patent 5,138,329 ("Saarnimo et al."), and rejected claims 3, 4, 8, 9, 11, and 14 under 35 U.S.C. § 103(a) as being unpatentable and obvious over Saarnimo et al. in view of United States Patent No. 6,171,123 ("Chang").

In the December 15, 2003 Office Action, the Examiner accepted the applicant's arguments submitted during the appeal, but rejected claims 3-14 based upon new references. The applicant respectfully traverses the new rejections.

In particular, the Examiner rejected claims 5-7, 10, 12, and 13 under 35 U.S.C. § 102(b) as being anticipated Saarnimo et al. The applicant respectfully traverses this rejection. In particular, claim 5 recites a combination of elements including, for example, "an external, retractable antenna movably mounted on said internal antenna and being movable between a retracted position and an extended position with respect thereto," which is not disclosed or suggested by Saarnimo et al. At most, Saarnimo et al. discloses that the device contains both an internal antenna 2, an external antenna 1, and a switching circuit 4. However, Saarnimo et al. is completely silent regarding how internal antenna 2 and external antenna 1 are mounted.

Based on a review of Saarnimo et al., it appears external antenna 1 is coupled to the device by a conventional coupling in the housing of the device. Referring specifically to FIG. 1 of Saarnimo et al., the external antenna 1 extends through an unlabeled conventional coupling on the far right portion of FIG. 1, the coupling is however unlabeled. Conversely, the present invention recites "an external, retractable antenna *movably mounted on said internal antenna.*" (emphasis added) The present

invention clearly shows this in FIGS 2 and 3 of the present invention. FIGS. 2 shows the combination internal antenna 20 and the external antenna 22 movably mounted on internal antenna 20. Referring to FIG. 3, the exploded view of device 10 clearly shows only internal antenna 20 is actually attached to housing 14. Because Saarnimo et al. is silent regarding the mounting of its internal antenna and its external antenna, it cannot disclose or suggest the recitation above. Thus, the applicant respectfully requests the Examiner reconsider and withdraw the pending rejection of claim 5 under 35 U.S.C. § 102(b).

Chang does not cure the defect of Saarnimo et al. identified above. The Examiner specifically relies on Chang for the disclosure of an RF port admittedly missing in the Saarnimo et al. reference. However, Chang does not disclose "an external, retractable antenna movably mounted on said internal antenna," as recited by claim 5 of the present invention. If fact, Chang does not disclose mounting any external antenna let alone movably mounting one on the internal antenna. Thus, Chang does not cure the defect of Saarnimo et al. noted above.

For at least the forgoing reasons, the applicant respectfully submits that claim 5 is patentably distinct from the references either alone or in any reasonable combination thereof. Claim 10 contains a recitation similar to the recitation of claim 5 described above and, by virtue of the similarity, is patentably distinct from the references either alone or in any reasonable combination thereof. Claims 6, 7, 12, and 13 depend, directly or indirectly from claims 5 and 10 and, by virtue of this dependency, are patentably distinct from the references either alone or in any reasonable combination thereof.

In the December 15, 2004 Office Action, the Examiner rejected claims 3, 4, 8, 9, 11, and 14 under 35 U.S.C. § 103(a) as being unpatentable and obvious over Saarnimo et al. in view of Chang. The applicant respectfully traverses this rejection. As an initial matter, claims 3, 4, 8, 9, 11, and 14 all depend, directly or indirectly, from claims 5 and 10 and, by virtue of the dependency, are patentably distinct from the reference

either alone or in any reasonable combination thereof as described above. Moreover, claims 3, 4, 8, 9, 11, and 14 all recite a combination of elements including, for example, "a remote RF port is provided which is mechanically connected to said internal antenna," or similar language, which is not disclosed or suggested by the references. In particular, the Examiner admits that Saarnimo et al. fails to disclose the remote RF port mechanically connected to the internal antenna as recited by the claims. The present invention clearly shows in FIG. 2 remote RF port 18 mounted directly on internal antenna 20. Conversely, the references, to the extent they even disclose an RF port, only discloses an electrical connection between an antenna and the RF port with the RF port actually mounted on the device housing. Thus, for at least this additional reason, claims 3, 4, 8, 9, 11, and 14 are patentably distinct from the references of record either taken alone or in any reasonable combination thereof.

For all the foregoing reasons, the applicant respectfully requests the Examiner reconsider and withdraw the pending rejection and allow claims 3-14.

No fee is believed due for this submittal. However, any fee deficiency associated with this submittal may be charged to Deposit Account No. 08-2623. Should any extensions of time not accounted for be required, consider this a petition therefore and charge the associated fee to Deposit Account No. 08-2623.

Respectfully submitted,



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Brian Kinnear
Registration No. 43,717
ATTORNEY FOR APPLICANT
HOLLAND & HART LLP
555 17th Street, Suite 3200
Post Office Box 8749
Denver, CO 80201-8749
Telephone: (303) 295-8170
Facsimile: (303) 295-8261